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OCT 10 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

First-Named Inventor: VAN DER ZWAN
Application No.: 099/899,449 Conf.: 2644
Date Filed: 07/05/2001
Customer No.: 24738

Atty Docket No.: NL000364
Art Unit: 2644
Examiner: CHAU, Corey P.

Title: A/D Converter With Integrated Biasing For A Microphone

Mail Stop Appeal Brief-Patents
Commissioner for Patents
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Alexandria, VA 22313-1450

TRANSMITTAL OF
BRIEF IN SUPPORT OF AN APPEAL

Sir:

Enclosed is an Appeal Brief in the above-identified patent application.

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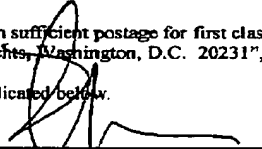
Date: 10/10/05

Respectfully submitted,
PHILIPS ELECTRONICS NORTH AMERICAN CORP.

By



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Before the Board of Patent Appeals and Interferences

In re the Application

Inventor : VAN DER ZWAN
Application No. : 09/899,449
Filed : July 5, 2001
**For : A/D CONVERTER WITH INTEGRATED
BIASING FOR A MICROPHONE**

APPEAL BRIEF

On Appeal from Group Art Unit 2644

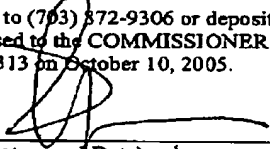
Date: October 10, 2005

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Daniel Michalek
(Name)


(Signature and Date)
10/10/05

APPEAL
Serial No.: 09/899,449

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RELATED PROCEEDINGS

EVIDENCE

TABLE OF CASES

NONE

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I. REAL PARTY IN INTEREST

The real party in interest is the assignee of the present application, Koninklijke Philips Electronics N.V., and not the party named in the above caption.

II. RELATED APPEALS AND INTERFERENCES

With regard to identifying by number and filing date all other appeals or interferences known to Appellant which will directly effect or be directly affected by or have a bearing on the Board's decision in this appeal, Appellant is not aware of any such appeals or interferences.

III. STATUS OF CLAIMS

Claims 1-8 are pending. Of these, claim 1 stands finally rejected, and forms the subject matter of the present appeal.

IV. STATUS OF AMENDMENTS

All amendments have been entered. No amendment after final rejection has been submitted.

V. SUMMARY of the CLAIMED SUBJECT MATTER

The present invention relates to a combination of a microphone requiring a bias signal generated externally (such as an electret microphone) and an A/D converter circuit. An electret microphone is well-suited to portable applications. In many such applications, the output signal of the microphone is converted to a digital signal using an A/D

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converter. In the prior art, the electret microphone has required a bias circuit including multiple discrete components, such as resistors and capacitors. The presence of such components makes miniaturization difficult.

This disadvantage is overcome in accordance with the invention by providing a bias generator as part of the companion A/D converter. As recited in independent claim 1, the inventive combination comprises a microphone requiring a bias signal and an analog-to-digital converter having an input connected to an output of the microphone, to convert a signal generated by the microphone into a digital signal at an output of the analog-to-digital converter, wherein the analog-to-digital converter is operable to supply a bias signal to the microphone.

VI. GROUND'S of REJECTION to be REVIEWED ON APPEAL

The issues in the present matter are whether:

1. claim 1 is unpatentable over Sigwanz in view of Schreiber and Ehara.

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VII. ARGUMENT

I. Rejection of Claim 1 as unpatentable over Sigwanz in view of Schreiber and Ehara

Claim 1 was rejected as being unpatentable over Sigwanz in view of Sutterlin and Ehara. The rejection states in part:

[I]t would have been obvious...to modify the combination of Sigwanz with the teaching of Schreiber to utilize the analog-to-digital converter of Schreiber to convert a signal generated by the microphone into a digital signal at the output of the analog-to-digital converter. * * * [I]t would have been obvious... to modify the combination of Sigwanz as modified with the teaching of Ehara to replace the separate power supply of the sigma-delta converter of Sigwanz as modified with a combination of a power supply circuit and a bias circuit disposed between two components such as the microphone and the sigma-delta converter of Sigwanz as modified, so that the sigma-delta converter is operable to supply a bias signal to the microphone, therefore reducing the number of parts in the power system of the sigma-delta converter.

The rejection is largely conjectural and fails to make a sound technical case for the proposed combination.

The combined power supply/bias circuit of Ehara is specifically for an ECM microphone (Electret Condenser Microphone). It would not have been obvious to use such a circuit to power the sigma-delta modulator of Schreiber. Furthermore, the bias circuit portion of the combined circuit of Ehara is for applying a power supply voltage to the non-inverting input terminal of the operational amplifier of Ehara. Such an operational amplifier is characteristic of an analog system but is not necessarily present in the mainly digital system of Sigwanz.

Accordingly, claim 1 is believed to patentably define over the cited references.

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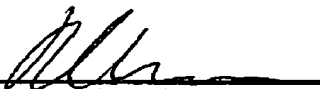
In view of the above, applicant submits that all of the above referred-to claims are patentable over the teachings of the cited references.

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VIII. CONCLUSION

In view of the above analysis, it is respectfully submitted that the referenced teachings, whether taken individually or in combination, fail to anticipate or render obvious the subject matter of any of the present claims. Therefore, reversal of all outstanding grounds of rejection is respectfully solicited.

Date: October 10, 2005


By: Michael Ure
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IX. APPENDIX: THE CLAIMS ON APPEAL

1. A combination of a microphone requiring a bias signal and an analog-to-digital converter having an input connected to an output of the microphone, to convert a signal generated by the microphone into a digital signal at an output of the analog-to-digital converter, characterized in that the analog-to-digital converter is operable to supply a bias signal to the microphone.

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X. APPENDIX: RELATED PROCEEDINGS

NONE

XI. APPENDIX: EVIDENCE

NONE